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NOTICE OF ALLOWANCE AND FEE(S) DUE

513

7590

11/07/2008

WENDEROTH, LIND & PONACK, L.L.P.
2033 K STREET N. W.
SUITE 800
WASHINGTON, DC 20006-1021

EXAMINER

RAMAKRISHNAIAH, MELUR

ART UNIT

PAPER NUMBER

2614

DATE MAILED: 11/07/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,190	01/20/2004	Masao Oomoto	2004_0029A	7700
TITLE OF INVENTION: COMMUNICATION SYSTEM AND ITS TERMINAL				

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	02/09/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE** OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

513 7590 11/07/2008

WENDEROTH, LIND & PONACK, L.L.P.
2033 K STREET N. W.
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Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/759,190 01/20/2004

Masao Oomoto

2004, 0029A

7700

TITLE OF INVENTION: COMMUNICATION SYSTEM AND ITS TERMINAL

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	02/09/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
RAMAKRISHNANAH, MELUR	2614	455-560000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____
Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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WENDEROTH, LIND & PONACK, L.L.P. 2033 K STREET N. W. SUITE 800 WASHINGTON, DC 20006-1021			RAMAKRISHNAIAH, MELUR	
			ART UNIT	PAPER NUMBER
			2614	
			DATE MAILED: 11/07/2008	

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1145 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1145 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

10/759,190

Applicant(s)

OOMOTO ET AL.

Examiner

Melur Ramakrishnaiah

Art Unit

2614

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERIT IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7-30-2008.
2. ☒ The allowed claim(s) is/are 1-26.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413)
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Allowable Subject Matter

1. The following is an examiner's statement of reasons for allowance: The present invention relates to a communication system that manages a network, by generating network configuration information and network resource reservation information when a terminal comprising the network moves.

The prior art of record in combination or lone fails to teach or suggest these elements of independent claims 1, 9, 11, 15, 17, and 19 in combination with other elements. For example independent claim 1 has claim limitations such as plural switching devices, each comprising plural ports, at least one terminal operable to be connected to any of the plural ports of the plural switching devices, and a management device comprising a configuration information generating unit operable to generate configuration information of a network composed of the plural switching devices and the at least one terminal, wherein each of the plural switching devices further comprises a MAC address table operable to store MAC address information for each of the plural ports, and wherein at least one of the at least one terminal comprises: a packet receiving unit operable to receive a packet, a packet sending unit operable to send a packet, a link-state detecting unit operable to detect link-up for each of the plural switching devices, and a configuration-change notifying unit operable, when the link-state detecting unit detects a link-up, to send a notice of change of a network configuration to the management device via the packet sending unit. Independent claim 9 has claim limitations such as plural switching devices, each comprising plural ports, at least one terminal operable to be connected to any one of the plural ports of the plural

switching devices, wherein each of the plural switching devices further comprise a MAC address table operable to store MAC address information for each of the plural ports, and at least one of the at least one terminal comprises: a packet receiving unit operable to receive a packet, a packet sending unit operable to send a packet, a link state detecting unit operable to detect link-up for each of plural switching devices, and a configuration-change notifying unit operable, when the link-state detecting unit detects a link-up, to output a notice of network configuration via the packet sending unit.

Independent claim 11 has limitations such as plural switching devices each comprising plural ports, and at least one terminal operable to be connected to any of the plural ports of plural switching devices, wherein at least one of the at least one terminal comprises: a packet receiving unit operable to receive a packet, a packet sending unit operable to send a packet, a link-state detecting unit operable to detect a link-up for each of the plural switching devices, a resource reservation table operable to store network resource reservation information of the terminal and communication partner terminal, and a configuration change notifying unit operable, when the link-state detecting unit detects a link-up, to send a notice of network resource reservation information stored in the resource reservation table to the communication partner terminal via the packet sending unit. Independent claim 15 has limitations such as plural switching devices, each comprising plural ports, at least one terminal operable to be connected to any of the plural ports of the plural switching devices, and a management device comprising a network management table operable to store network resource reservation information of a network, the network comprising the plural

switching devices and the at least one terminal, the management device further comprising a network resource managing unit operable to manage resources of the network, wherein at least one of the at least one terminal comprises: a packet receiving unit operable to receive a packet, a packet sending unit operable to send a packet, a link state detecting unit operable to detect a link-up for each of the plural switching devices, a resource reservation table operable to store network resource reservation information between the terminal and a communication partner terminal, and a configuration change notifying unit operable, when the link state detecting unit detects a link-up to send a notice of the network resource reservation information stored in the network resource management table to the management device via the packet sending unit. Independent claim 17 has claim limitations such as a packet receiving unit operable to receive a packet, a packet sending unit operable to send a packet, a link-state detecting unit operable to detect a link-up for each of plural switching devices, a resource reservation table operable to store network resource reservation information of the terminal and a terminal of a communication partner of the terminal, and a configuration-change notifying unit operable, when the link-state detecting unit detects a link-up, to send a notice of the network resource reservation information stored in the resource reservation table to the terminal of the communication partner. Independent claim 19 has claim limitations such as plural switching devices, each comprising plural ports, at least one terminal operable to be connected to any of the plural ports of the plural switching devices, and a management device operable to manage a network including the plural switching devices and the at least one terminal, wherein each of the

plural switching devices further comprises a MAC address table operable to store MAC address information for each of the plural ports, wherein at least one of the at least one terminal comprises: a packet receiving unit operable to receive a packet, a packet sending unit operable to send a packet, a link-state detecting unit operable to detect a link-up for each of the plural switching devices, a resource reservation table operable to store network resource reservation information between the terminal and a communications partner terminal, and a configuration change notifying unit operable to send a notice of a configuration change in the network and notice of network resource reservation information to the management device, wherein management device comprises: a packet receiving unit operable to receive a packet, a packet sending unit operable to send a packet, an information acquiring unit operable to acquire the MAC address information of the ports from the plural switching devices, a configuration information generating unit operable to generate configuration information of the network, a network resource management table operable to store network resource reservation information of the network, and a network resource managing unit operable to manage a network resource of the network, wherein when the link-state detecting unit detects a link-up, the terminal sends the notice of the configuration change of the network and notice of network resource reservation information stored in the network resource management table to the management device, and wherein when the management device receives the notice from the terminal, the information acquiring unit acquires the MAC address information of the ports from the plural switching devices, the configuration information generating unit updates the network configuration based on

the MAC address information acquired by the information acquiring unit, and the network resource managing unit generates reservation of the availability information indicating availability of a network resource reservation information received from the terminal, the network resource managing unit updates the network resource reservation stored in the network resource management table, based on the reservation availability information, and the network resource managing unit sends notice of the reservation availability information to the terminal and a communication partner's terminal. For the above reasons, independent claims 1, 9, 11, 15, 17, 19 and dependent claims 2-8, 10, 12-14, 16, 18, 20-26 are allowable.

2. Claims 1-26 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

--(6,094,431) to Yamato et al. discloses node device and network resource reservation method for data packet transfer using ATM networks.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (571)272-8098. The examiner can normally be reached on 9 Hr schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curt Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Melur Ramakrishnaiah/
Primary Examiner, Art Unit 2614